

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re: : **Chapter 11**
:
CM WIND DOWN TOPCO INC. : **Case No. 17-13381 (SCC)**
:
Reorganized Debtor.¹ :
:
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**ORDER SUSTAINING REORGANIZED DEBTOR'S ELEVENTH OMNIBUS
OBJECTION (SUBSTANTIVE) TO CLAIMS
(No Liability Claims, Reduce and Allow Claims, and Late Filed Claims)**

Upon the Objection [ECF No. 1039] (the "Objection")² of the above-captioned debtor (the "Reorganized Debtor"), on behalf of itself and its affiliates that were former debtors in the above-captioned case (each such affiliate, a "Former Debtor" and together with the Reorganized Debtor, the "Reorganized Company"), pursuant to sections 105(a) and 502(b) of title 11 of the United States Code (the "Bankruptcy Code"), Rule 3007 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules"), the Claims Procedures, the Procedures Order and the Case Closing Order; and the Bankruptcy Court having jurisdiction to consider the Objection and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference M-431*, dated January 31, 2012 (Preska, C.J.); and consideration of the Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before the Bankruptcy Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Objection having been provided;

¹ The last four digits of the Reorganized Debtor's tax identification number are 9663. The location of the Reorganized Debtor's service address is: 3280 Peachtree Road, N.W., Suite 2200, Atlanta, Georgia 30305.

² Capitalized terms used but not defined herein have the meanings ascribed to them in the Objection.

and the Bankruptcy Court having found and determined that the relief sought in the Objection is in the best interests of the Reorganized Company, their estate and former estates, creditors, and all parties in interest, and that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and upon all of the proceedings had before this Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The Objection is SUSTAINED as set forth herein.
2. Any response to the Objection not otherwise withdrawn, resolved, or adjourned is hereby overruled on its merits.
3. Each of the No Liability Claims listed on **Schedule 1** annexed hereto under the heading “*No Liability Claims*” is disallowed and expunged in its entirety.
4. Each of the Reduce and Allow Claims listed on **Schedule 2** annexed hereto is hereby reduced and allowed in the amount set forth in **Schedule 2** annexed hereto under the heading “Modified Amount.”
5. Each of the Late Filed Claims listed on **Schedule 3** annexed hereto under the heading “*Late Filed Claims*” is disallowed and expunged in its entirety.
6. The Reorganized Debtor’s objection to each claim addressed in the Objection constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate Order with respect to each claim. Any stay of this Order pending appeal by any of the Claimants subject to this Order shall only apply to the contested matter which involves such Claimant and shall not act to stay the applicability and/or finality of this Order with respect to the other contested matters covered hereby.
7. This Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of, and all rights to object to or defend on any basis are expressly reserved with

respect to any No Liability Claim, Reduce and Allow Claim, or Late Filed Claim referenced and/or identified in the Objection that is not listed on **Schedules 1, 2, or 3** annexed hereto.

8. The Reorganized Company's rights to object to any No Liability Claim, Reduce and Allow Claim, or Late Filed Claim to which the Bankruptcy Court does not grant the relief requested herein on any other basis are fully reserved.

9. The Reorganized Company, the Claims and Noticing Agent, and the Clerk of this Bankruptcy Court are authorized to take all actions necessary or appropriate to give effect to this Order.

10. This Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation, interpretation, and/or enforcement of this Order.

Dated: December 4, 2018
New York, New York

/S/ Shelley C. Chapman
THE HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE